

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO. 1:20-CV-00274-KDB**

**RUTH WADDELL GARRISON,**

**Plaintiff,**

**v.**

**KILOLO KIJAKAZI , Acting  
Commissioner of Social Security,<sup>1</sup>**

**Defendant.**

**ORDER**

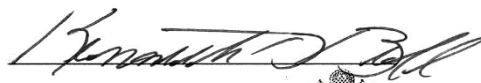

**THIS MATTER** is before the Court on Plaintiff's Complaint (Doc. No. 1) and Defendant's Motion for Remand to the Commissioner for further administrative proceedings (Doc. No. 20). The Commissioner wishes to conduct further fact finding, including holding a new hearing. Plaintiff's counsel consents to the Government's Motion for Remand.

The Court finds good cause has been alleged for remand and that further administrative fact-finding is warranted. Accordingly, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings, including a new hearing. *See Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure

**SO ORDERED.**

Signed: September 10, 2021

  
Kenneth D. Bell  
United States District Judge 

---

<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted for Andrew Saul as the defendant in this suit.